

BOARD OF PUBLIC WORKS & SAFETY
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Mayor Charles Henderson called the meeting to order at 8:30 a.m.

PRESENT: Board members Warren Beville, Mayor Henderson, Kevin Hoover;
Clerk-Treasurer Jeannine Myers; and Kevin Riddle for Director of
Engineering Paul Peoni.
City Attorney Shawna Koons-Davis was unable to attend.

Joanna Myers of Projects Plus, on behalf of Precedent South Business Center Lot 3A (Scotts Lawn Service), asked for permission to encroach a sanitary sewer easement and for acceptance of performance bonds. The encroachment would allow for placement of landscaping. Mr. Hoover moved to grant the encroachment request, subject to review and approval of the agreement by the City Attorney, authorize the Mayor to sign, and review and approval of the landscaping plan by the Director of Engineering. Second by Mr. Beville. Vote: Ayes. At this point, Mr. Hoover moved to:

- 1) Accept performance bond #929401063 from Western Surety Company in the amount of \$42,743 for the dirtwork and storm sewers at Scotts Lawn Service, Precedent South Section 1 – Block 3, Lot 3A.
- 2) Accept performance bond #929401062 from Western Surety Company in the amount of \$3,708 for the street improvements within the right-of-way at Scotts Lawn Service, Precedent South Section 1 – Block 3, Lot 3A.
- 3) Accept performance bond #929401061 from Western Surety Company in the amount of \$1,843 for the sanitary sewers at Scotts Lawn Service, Precedent South Section 1 – Block 3, Lot 3A.
- 4) Accept performance bond #929401060 from Western Surety Company in the amount of \$12,541 for erosion control at Scotts Lawn Service, Precedent South Section 1 – Block 3, Lot 3A, all contingent upon:
 - a. Review and approval of the performance bonds by the Law Department and Paul Peoni of the Engineering Department.

Second by Mr. Beville. Vote: Ayes.

For Precedent South Business Center Block 13 Lot 13B (Sexson Mechanical) Ms. Myers requested encroachment of a sanitary sewer easement and acceptance of performance bonds. Mr. Hoover moved to grant the encroachment request for Sexson Commercial Property, subject to review and approval of that agreement by the City Attorney, authorize the Mayor to sign on the Board's behalf, and review and approval of the plans by the Director of Engineering. Second by Mr. Beville. Vote: Ayes. Then Mr. Hoover moved to:

- 1) Accept performance bond #INC44310 from Merchants Bonding Company in the amount of \$39,378.35 for the dirtwork and storm sewers at Sexson Mechanical, Precedent South Section 4 – Block 13, Lot 13B.
- 2) Accept performance bond #INC44307 from Merchants Bonding Company in the amount of \$9,084.63 for the street improvements within the right-of-way at Sexson Mechanical, Precedent South Section 4 – Block 13, Lot 13B.
- 3) Accept performance bond #INC44306 from Merchants Bonding Company in the amount of \$1,830.95 for the sanitary sewers at Sexson Mechanical, Precedent South Section 4–Block 13, Lot 13B.
- 4) Accept performance bond #INC44304 from Merchants Bonding Company in the amount of \$15,812 for erosion control at Sexson Mechanical, Precedent South Section 4 – Block 13, Lot 13B.
- 5) Accept performance bond #INC44308 from Merchants Bonding Company in the amount of \$2,891.90 for sidewalks at Sexson Mechanical, Precedent South Section 4 – Block 13, Lot 13B.

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- 6) Accept performance bond #INC44309 from Merchants Bonding Company in the amount of \$453.20 for signs & monuments at Sexson Commercial, Precedent South Section 4 – Block 13, Lot 13B, all contingent upon:
 - a. Review and approval of the performance bonds by the Law Department and Paul Peoni of the Engineering Department.

Second by Mr. Beville. Vote: Ayes.

Ms. Myers next requested acceptance of the bond for erosion control at Precedent South Business Center Section 5 in order that they might start construction. Mr. Hoover moved to:

- 1) Accept performance bond #5020026 from Bond Safeguard Insurance Company in the amount of \$29,697 for erosion control at Precedent South Business Center Section 5, subject to:
 - a. Review and approval of the performance bond by the Law Department and Paul Peoni of the Engineering Department.

Second by Mr. Beville. Vote: Ayes.

Code Enforcement Officer John Myers came forward to describe a violation at 590 Oakwood Drive of high grass and weeds in the back yard, which also impedes drainage when there is heavy rain. Code Enforcement has been called to the site before. On June 1st, they left a 10-Day notice. There was no change on June 7th. On June 13th Code Enforcement took six pictures of the violation. A certified letter to owner Cynthia Hammond asked that she appear at today's meeting of the Board of Public Works and Safety. A copy of the certified letter was also left on the door. The certified letter was never picked up after delivery was attempted. On July 5th Mr. Myers spoke with neighbor Merl Geiger of 600 Oakwood Drive, who advised Code Enforcement that that the person living at 590 Oakwood moved a couple of weeks ago and he does not believe anyone is living there now. Neighbor Paul Cote said that he and his wife had helped Cynthia Hammond move but declined to give her new address or phone number. Ms. Hammond called Code Enforcement yesterday and indicated that she had attempted to have someone mow the back yard but they were not able to get the equipment through the privacy fence. Ms. Hammond requested names of others she might contact. Mr. Geiger gave Code Enforcement two pictures yesterday that were taken from his back yard. Mr. Beville moved to find that a nuisance exists at 590 S. Oakwood Drive, direct the City Attorney to send a 7-Day Notice of Abatement, and failing that, to take whatever steps she deems necessary to abate the nuisance and charge the costs back against the property owner. Second by Mr. Hoover. After comment by Mayor Henderson about the condition of the property, Mr. Beville amended his motion to a 5-Day Notice of Abatement. Second by Mr. Hoover. Mayor Henderson asked Code Enforcement to check with the City Attorney to see if it is possible to take down a portion of the fence to get the proper equipment in, instead of weed eaters. Mr. Geiger was in the audience and told the Board about the health hazard having drainage impaired to the swale running through the area. He had to put a sump pump in his basement, he added. Mayor Henderson wanted to make sure the swale is cleaned out. Vote: Ayes.

Brian Lane, Executive Director of Greenwood Village South, came forward regarding their expansion project. He understood that plans would be sent out for review and that they would be ready for review at today's Board meeting. Mayor Henderson indicated that he had instructed the Planning Department to issue land alteration permits. The Director of Operations said he had learned that there was nothing submitted for designs on new structures. Tim Russell was with him, representing the contractor, said they are waiting for the bond amount. They have had a State release for three months, he added. The Mayor told Mr. Russell they need to submit those plans and staff will try to expedite that

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process. Mr. Russell said that a water main needs to be rerouted before work on the foundation can start and apparently sanitary and storm sewers need to be rerouted also. Michael Deer of Deer Engineering stated that estimates for the bonds were submitted to Engineering in May. Land alteration permits allow them to install storm and sanitary sewers, indicated Mr. Gabehart. Mr. Hoover moved to ratify the Mayor's approval of granting land alteration permits and, once the appropriate bond amounts are approved by the Director of Engineering, that the Mayor approve on the Board's behalf. Second by Mr. Beville. Vote: Ayes.

Stephen Watson, attorney for the Redevelopment Commission, came forward regarding the right-of-way acquisition for the North Graham Road project. Chris Hammon of United Consulting Engineers represented Todd Taylor, buyer for that project, said the reason they are here is primarily statutory. Two appraisals are required when the Redevelopment Commission buys property. Second, if the project is an economic development project as opposed to a redevelopment project, Mr. Hammon stated that the Redevelopment Commission does not have the authority to use eminent domain. He asked if the Board of Works might enter in an interlocal agreement with the Redevelopment Commission to acquire these properties. Mr. Watson said that the Redevelopment Commission does have the authority to reimburse the City for any expenditures it makes in benefiting a TIF District. The Mayor related that the Board of Works does not have the funds up front to purchase those right-of-ways and asked if funds could come from the Redevelopment Commission in advance. Mr. Watson commented that he and the City Attorney would have to consider how that might be done. His thought was it seems to be a paper trail issue and if an agreement is drafted properly the funds could go directly from the TIF District funds to the property owners. Mr. Watson said that United Consulting is ready to make offers on two of the parcels that need to be acquired and they would like authorization to make those offers. After discussion, Mr. Hoover moved to direct staff to prepare an interlocal agreement with the Redevelopment Commission for the North Graham Road right-of-way acquisition with terms and conditions to be subject to approval by the Mayor and be executed on behalf of the Board by the Mayor. Second by Mr. Beville. Vote: Ayes. Concerning the two parcels previously mentioned, they are on the north side of the project, on the west side of Graham Road – the only two residential parcels on the north end. There was discussion of the different appraisal types, as the two parcels under consideration used the Long Form. Mr. Hoover moved to conditionally authorize the acquisition of right-of-way on the Goins and Denien properties in the amounts indicated on the handout, subject to the Redevelopment Commission's approval of those amounts and payments, with the Mayor to sign on the Board's behalf once the agreements are prepared by the City Attorney. Second by Mr. Beville. Vote: Ayes. Mr. Taylor is scheduling meetings for the donations of the other parcels, said Mr. Gabehart. He hopes that most of that is concluded by the end of the month. The north end of the project will hopefully be bid first.

Street Commissioner Greg Owens discussed a request to purchase a Bobcat skid steer loader, originally to be purchased with LRS funds. Mr. Owens has learned that Sanitation funds are available. There were three quotes on a model S300 with cab heat and air, hydraulic braker, 24" high flow planer and loading forks. The low quote was from Bobcat of Indy South at \$49,343; next was Bobcat of Indy North at \$51,947; high quote was from Bobcat of Anderson at \$57,162.53. Mr. Beville moved to accept the quote from Bobcat of Indy South at \$49,343 as described. Second by Mr. Hoover. Vote: Ayes.

Discussing the 2006 paving bids, Mr. Owens asked permission to enter into a contract with Milestone Contractors, apparently the lowest responsive and responsible bidder, contingent upon review by the Engineering and Law departments. Milestone's bid was \$1,048,835.90. Mr. Hoover moved to find that

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Milestone was the lowest responsive and responsible bidder for the overlay project in the amount of \$1,048,835.90, subject to review of those documents by the City Attorney and the Director of Engineering. Second by Mr. Beville. Vote: Ayes. Mayor Henderson told Mr. Owens that the Council thanked the employees for preparing the City for the Freedom Festival and cleaning up and complimented the workers for the sidewalks on Howard Road and asked him to pass that on to his department.

Fire Chief Steve Dhondt brought the issue of accident and sickness insurance for the firefighters to the Board. The policy expires on July 12th and is currently with ESIP, with Jones & Associates as the agency for \$5,519 annually. For years the maximum weekly benefit for an injured firefighter was \$300, said Chief Dhondt. VFIS, with Gregory & Appel, totals \$5,520 annually but pay up to a maximum \$750 weekly benefit, with a weekly hospital indemnity rider (\$207 annually) and a special activities rider (\$138 annually). The price is guaranteed for three years, noted the Chief. The total premium would be \$5,865. Mr. Beville moved to accept the quote from VFIS as described. Second by Mr. Hoover. Vote: Ayes.

Bill Jackson, Human Resources Director, brought a job description change for the building services foreman, to be changed to building services supervisor. This would more accurately define Mr. Inabnitt's duties and responsibilities, said Mr. Jackson. Mr. Beville moved to accept the job description for building services supervisor as presented. Second by Mr. Hoover. Vote: Ayes.

Norm Gabehart recalled that the Director of Engineering expressed interest in accepting land donations in the former Wilgro. Documents have been prepared by the City Attorney. Citing the April 20, 2006 minutes, he asked that these documents be executed.

Mr. Beville moved to accept the claims as presented through July 6, 2006. Second by Mr. Hoover. Vote: Ayes.

Mayor Henderson reiterated that all employees are to be commended for their jobs connected with the Freedom Festival weekend.

With no further business, the meeting adjourned at 9:25 a.m.

Charles E. Henderson, Mayor

Jeannine Myers, Clerk-Treasurer